

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

WALTER RAUDONIS, as trustee for the
WALTER J. RAUDONIS 2016
REVOCABLE TRUST, DAVID HOLLAND
and JEREMY DAVIS, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

JOHN JARVE, JOHN BUTTRICK, NIKOS
BONATSOS and TYLER SOSIN,

Defendants.

Civil Action No. 1:21-cv-10329

STIPULATION AND ORDER

WHEREAS, on January 17, 2020, Plaintiffs Walter Raudonis and Walter J. Raudonis 2016 Revocable Trust filed a putative class action complaint against Defendants RealtyShares, Inc. (“RealtyShares”), RS Lending, Inc., Navjot Athwal and Edward Forst (the “*Raudonis I* Defendants”),¹ case no. 20-cv-10107-PBS (D. Mass.) (“*Raudonis I*”);

WHEREAS, on August 24, 2020, the *Raudonis I* Defendants moved to stay those proceedings in light of—and pending resolution of—a bankruptcy petition filed by RealtyShares in the Northern District of California. *See* Dkt No. 52 (the “MTS”);

WHEREAS, on January 14, 2021, the Court granted Defendants’ MTS, suspending all deadlines and staying the *Raudonis I* proceedings, *see* Dkt No. 71;

WHEREAS, on February 26, 2021, Plaintiffs filed a second, separate putative class-action complaint against four individual defendants—John Jarve, John Buttrick, Niko Bonatsos, and Tyler Sosin, case no. 21-cv-10329-PBS (“*Raudonis II*”);

WHEREAS, *Raudonis I* and *Raudonis II* have both been assigned to Hon. Patti B. Saris;

WHEREAS, there is significant overlap in the allegations, legal theories, and causes of action in *Raudonis I* and *Raudonis II*;

WHEREAS, the parties have met and conferred and agree—given the overlap between the two matters and in order to preserve resources—that it is also appropriate to stay the *Raudonis II* proceedings;

WHEREAS, during the parties’ discussions, defense counsel also explained that two of the four *Raudonis II* defendants—Tyler Sosin and Niko Bonatsos—were never Directors at RealtyShares;

¹ In *Raudonis I*, the plaintiffs also named IIRR Management Services, LLC (“IIRR”) as a defendant. IIRR is not, however, a defendant in this matter, *Raudonis II*.

NOW, THEREFORE, subject to the Court's approval, the parties hereby STIPULATE as follows:

1. The complaint against Nikos Bonatsos shall be dismissed without prejudice;
2. The complaint against Tyler Sosin shall be dismissed without prejudice;
3. The remaining two defendants, John Jarve and John Buttrick, agree to waive service of the *Raudonis II* complaint, as contemplated by Federal Rule of Civil Procedure 4(d), without waiving any objection they may have to personal jurisdiction or venue. Mr. Jarve and Mr. Buttrick shall have 60 days from the date this stay is lifted to answer or otherwise respond to the Complaint; and
4. All deadlines shall be suspended and all proceedings stayed in this matter, pending resolution of the RealtyShares bankruptcy proceedings in the Northern District of California.

Respectfully submitted,

KEKER, VAN NEST & PETERS LLP

Dated: May 20, 2021

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Attorneys for Plaintiffs

Pursuant to stipulation of the parties, and for good cause, **IT IS HEREBY ORDERED** that:

1. The complaint against Niko Bonatsos is dismissed without prejudice;
2. The complaint against Tyler Sosin is dismissed without prejudice;
3. All deadlines are suspended and these proceedings are stayed pending resolution of the RealtyShares bankruptcy proceedings in the Northern District of California;
4. Mr. Jarve and Mr. Buttrick shall have 60 days from the date this stay is lifted to answer or otherwise respond to the Complaint.

Date: 5/24/2021

/s/ PATTI B. SARIS
HON. PATTI B. SARIS

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 20, 2021.

s/ Ian J. McLoughlin
IAN J. MCLOUGHLIN